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March 3, 2017

VIA ELECTRONIC CASE FILING

Hon. Katherine B. Forrest
United States Courthouse
500 Pearl Street, 15A
New York, NY 10007

Re: Hosseinzadeh v. Klein et al. – 16-cv-3081 (KBF)

Dear Judge Forrest

We are the attorneys for Defendants Ethan and Hila Klein (collectively “Defendants”) in the above-referenced matter. We are writing in opposition to Plaintiff Matt Hosseinzadeh’s application to file a sur-reply to Defendants’ Motion for Summary Judgment and the admission of the video referenced therein. (ECF #103).

As this Court’s Individual Rules of Practice in Civil Cases 1.D states: sur-replies “are generally disfavored.” This case merits no exception. Plaintiff seeks to introduce the video because he claims it “constitutes significantly prejudicial trial publicity,” not because it has any bearing on the issues presented in Defendants’ Motion for Summary Judgment (“Motion”). The issue on the Motion is whether Defendants’ video, *We’re Being Sued* was substantially true, which in no way is impacted by subsequent statements made after the filing of Plaintiff’s Second Amended Complaint (ECF #26, ¶¶ 38-52, 70-77).

As such, Defendants respectfully request this Court to deny Plaintiff’s letter motion.

Sincerely,
/s/ Rom Bar-Nissim
Rom Bar-Nissim

cc: Tim Bukher (via ECF); Michael Feldberg (via ECF)

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